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 10 Norman Runyan

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 NORMAN RUNYAN,

16 Plaintiff,

17 vs.

18 RIVER ROCK ENTERTAINMENT
 19 AUTHORITY, RIVER ROCK CASINO,
 20 HARVEY HOPKINS, an individual, and
 21 DOES 1-50, inclusive,

22 Defendants.

23 CASE No. 3:08-CV-01924-VRW

24 Date: August 14, 2008
 25 Time: 2:30 pm
 26 Judge: Hon. Vaughn R. Walker

27 SUPPLEMENTAL DECLARATION OF
 28 NORMAN RUNYAN IN SUPPORT OF
 PLAINTIFF'S OPPOSITION TO MOTION TO
 DISMISS; SIGNATURE ATTESTATION OF
 FILING ATTORNEY

29 I, Norman Runyan, declare as follows:

- 30 1. I am over the age of 18 and the plaintiff in this action. I have personal knowledge of each
 31 fact stated in this declaration, and if called upon by this Court to do so, I can and will competently
 32 testify to these matters.
 33
 34 2. The Memorandum of Points & Authorities filed in Reply to the Opposition states that I
 35 "was hired by the Tribal government to assist it in running its on-reservation governmental
 36 operations." While that is true, it is also the case that my former employer, during the time in

1 which I acted as Chief Operating Officer pursuant to the express terms of the Employment
 2 Agreement in question, rented a 30,000 sq. ft. facility in Healdsburg called "Foss Creek."

3. Foss Creek is not now, and never was, on Tribal land. Foss Creek is, and at all times
 4 pertinent was, where the Tribal Offices are actually located, as are the following RREA Casino
 5 Departments: Warehouse, Purchasing, Compliance, Safety, Human Resources, and others.

4. In fact, I spent about 40% of my time performing the functions of my job duties at Foss
 6 Creek, which is also where I met with the RREA Board of Directors on a regular basis.

7. Accordingly, I performed a substantial portion of my actual job duties outside of and away
 8 from Tribal land.

9 I declare under penalty of perjury under the laws of the State of California that the
 10 foregoing is true and correct.

11
 12 Executed: August 3, 2008, in Geyserville, California
 13
 14
 15 / S /
 16 _____
 17 Norman Runyan
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I, David S. Secrest, declare as follows:

1. I am the attorney of record for plaintiff NORMAN RUNYAN in this action, and make this
- 2 Declaration of my own personal knowledge. I am an attorney at law licensed to practice in the
- 3 U.S. District Court, No. Dist., California. I make this declaration of my own personal knowledge.
- 4
2. If I am called upon to testify about these matters, I can and will competently do so.
- 5
3. I hereby attest that I have on file all holograph signatures for any signatures indicated by a
- 6 "conformed" signature (/S/) within this efiled document.

I certify under penalty of perjury under the laws of the state of California that the foregoing
is true and correct.

Dated: July 24, 2008

Law Offices of David S. Secrest
A Professional Corporation

David S. Secrest
Attorney for Plaintiff
Norman Runyan